

DOD: 08/30/12	<p>KATRINA BEST KENDALL, daughter, was appointed as Administrator with bond in the amount of \$260,000.00 and full IAEA authority. Bond was filed 12/06/12 and Letters were issued on 12/06/12.</p> <p>Inventory & Appraisal, partial no. 1, filed 05/16/13 - \$61,251.00</p> <p>Inventory & Appraisal, final, filed 06/10/13 - \$61,251.00</p> <p>Yvette Best, daughter, filed a competing petition to be appointed as Administrator. Her Petition was denied on 12/12/13 due to lack of vacancy at Administrator. She has also filed a declaration that appears to be an objection to Katrina Best Kendall's handling of the Estate.</p> <p>Order to Reduce Bond was filed 01/23/14, reducing the bond to \$61,251.00.</p> <p>Status Report filed 04/24/14 states: The Administrator engaged a CPA and the busy tax season has delayed the filing of the accounting. The CPA very recently provided the financial information for the First and Final Accounting to the attorneys for the Administrator, but the financial information was not in a condition ready to be filed with the Court and requires revision to be placed in the proper accounting format. Therefore the Administrator requests a 3 week continuance.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 04/25/14</u></p> <p>1. Need Accounting/Report of Administrator and Petition for Final Distribution.</p> <p>Note: Yvette Best, daughter, filed a new Petition for Probate and Motion to be added as co-administrator that are set for hearing on 06/09/14.</p>	
Cont. from 013114, 030714, 042514			
Aff.Sub.Wit.			
Verified			
Inventory			
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Notice of Hrg			
Aff.Mail			
Aff.Pub.			
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Video Receipt			
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Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			<p>Reviewed by: JF</p> <p>Reviewed on: 05/12/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 – Best</p>

First-Amended Petition for Instructions and to Determine Entitlement

Edith DOD: 3-12-12	CLARENCE DALE STEVENS is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Sam DOD: 9-27-97	Petitioner states he is the named successor trustee and beneficiary of the Edith Lillian Mitchell Stevens Revocable Living Trust dated 11-2-83, as amended 5-4-04, 5-9-07, and 2-11-08. Attached to the petition are the trust and the 2 nd and 3 rd amendments. Petitioner states the 1 st amendment has been irretrievably lost or stolen, but its non-existence is of no legal or factual consequence, as the terms, conditions, and instructions under which the trust is to be administered and distributed are more than adequately described in the 2 nd and 3 rd amendments.	1. As previously noted: Notice to certain beneficiaries was sent "C/O" other persons. However, <u>direct</u> notice to the person entitled thereto is required by Cal. Rules of Court 7.51 (<u>even to a minor or a conservatee</u>), and notice to the attorney, if represented, is required by Probate Code §1214. The Court may require continuance for proper notice (30 days' direct notice) to all persons entitled to notice, as noted above.
Cont. from 121613, 022414, 042414	Petitioner states Sam C. Stevens and Edith Lillian Mitchell Stevens were once married and residing in the County of Fresno. They had four children of the marriage: Robert Duane Stevens; Betty Lou Amelino; Larry Bryan Stevens; and Clarence Dale Stevens (Petitioner).	Specifically, notice to Betty Lou Amalino was sent "C/O" Public Guardian, rather than directly, as previously noted.
Aff.Sub.Wit.	Sam and Lillian wrote two revocable living trusts during their marriage to address their estate planning needs and desires. Sam's trust dated 11-2-83 is also attached for reference. Petitioner notes the "reciprocal provisions" of Sam's and Edith's trusts.	Also, notice to <u>Robert Stevens</u> was previously sent to his attorney. This time, notice was sent to him "C/O" Shari Ann Stevens, with the attorney excluded.
✓ Verified	Petitioner states that the two trusts told title to multiple parcels of real property in both Fresno County and within the State of California and a promissory note secured by real property in Torrance, CA, said property being vested in the name of Betty Lou Amelino.	2. Need order.
Inventory	Petitioner states there is no ambiguity in the writings created by Edith prior to her death, and that Petitioner is the unquestioned successor trustee of her trust under the 3 rd Amendment dated 2-11-08.	Reviewed by: skc
PTC	A dispute has arisen between the beneficiaries and trustees of the two trusts.	Reviewed on: 5-12-14
Not.Cred.	SEE ADDITIONAL PAGES	Updates:
✓ Notice of Hrg		Recommendation:
✓ Aff.Mail		File 2A – Stevens
Aff.Pub.		
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Citation		
FTB Notice		

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Petitioner states that on 10-10-13, Robert Stevens filed an unlawful detainer action against petitioner 13CECL09482 seeking to evict Petitioner from real property located at 19760 E. American Avenue, Reedley, CA 93654 (APN 333-290-13). See deed at Exhibit H. (Deed dated 1983 indicates that Sam and Edith granted this property in one-half undivided interests to each of their respective trusts.) Petitioner submits that is beyond dispute that title to this real property is vested as such.

Petitioner believes the UD action initiated by Robert Stevens was brought against Petitioner with an intent to vex, annoy, harass, and needlessly impose financial punishment upon Petitioner, and the Court must issue instructions and make findings confirming Petitioner as the proper successor trustee of Edith's trust, as amended, or a multiplicity of separate but related legal actions will ultimately be filed between the interested parties to each of the trusts.

Petitioner requests the following:

1. **An adjudication, finding, and instruction from the Court that, under operation of the 3rd Amendment dated 2-11-08, Petitioner is confirmed as the due, proper, and only successor trustee of the Edith Lillian Mitchell Stevens Revocable Living Trust dated 11-2-83 as amended 5-4-04, 5-9-07, and 2-11-08;**
2. **An adjudication, finding, and instruction from the Court that the 3rd Amendment is in full force and effect;**
3. **An adjudication, finding, and instruction from the Court that the 3rd Amendment controls and instructions Petitioner as successor trustee how the trust estate contained within the trust shall be distributed; and**
4. **That the Court order such other and further relief as it may deem proper.**

Objections filed 2-18-14 by Robert Stevens state that pursuant to the notice sent pursuant to §16061.7, Petitioner had 120 days from the date of service of such notice to bring action. 120 days passed and no objections were received; therefore, Robert signed the Affidavit of Change of Trustee on each trust property reflecting that he was the new owner of the property. Petitioner has not performed any duties in what he claims to be his capacity as successor trustee of the Edith Trust, has not made any effort to comply with Probate Code §16061.7. By his failure to respond to the 120 day notice to file action or even inform Robert of the existence of what he claims are valid amendments to the trust, he has waived his right to act as trustee and enforce those amendments.

Objector states at a minimum Petitioner is liable under §16061.9 for the significant damages, attorney's fees and costs caused by his failure to serve the notification required by §16061.7.

SEE ADDITIONAL PAGES

Dept. 303, 9:00 a.m. Friday, May 16, 2014

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Objector states that since Edith's death in 2012 and until recently, Dale has acted as if he is the sole owner of the several properties owned by the Sam Trust and the Edith Trust, and collected rents from tenants for over 18 months and has never accounted for his actions. While he admits that Robert is the trustee of the Sam Trust, he nevertheless collected rents and used those rents for his own advantage and has ignored Robert's request to account for rents collected.

After Robert was finally able to collect some of the rents upon providing copies of the deeds showing Robert as successor trustee, Dale even filed an unlawful detainer action against a tenant at one of the properties in this county claiming to be the owner of the property. The tenant properly paid Robert, which Dale knew, but chose to ignore. He could not provide proof that he was the owner of the property and the case was dismissed.

Objector states Dale was acting as de facto trustee of the Sam Trust and the Edith Trust prior to Edith's passing and collecting all rents. Edith was not competent and could not have exercised the duties of trustee. The rents were clearly not used to pay for upkeep and repairs. Not only is Dale liable for the waste he has caused, his failure to keep the properties safe subjects both the Sam Trust and the Edith Trust to liability.

Objector requests the Court order Dale to file an accounting from the time he began acting as de facto trustee, including all information as to the cash Edith had up until her death, and requests that the Court order Dale to stay off the properties owned by the trusts and quit collecting rent thereon.

Objector requests the Court:

- 1. Deny the First Amended Petition for Instructions and to Determine Entitlement;**
- 2. Order that Robert Stevens be allowed to continue as trustee of the Edith Trust;**
- 3. Order Clarence Dale Stevens to provide an accounting of the Edith Trust;**
- 4. Order that Clarence Dale Stevens stay off the properties owned by the Edith Trust and cease collecting rent on those properties;**
- 5. Award damages, cost and attorney fees as will be proven at trial; and**
- 6. For other and further relief as the court deems proper.**

Declaration of Petitioner's Attorney Michael G. Karby Re: Defects of Service on First Amended Petition, Request for Continuance, and Imposition of Sanctions on Attorney filed 2-20-14 states: On 2-20-14, the attorney learned for the first time that beneficiary Betty Lou Amalino has two conservators: The Fresno County Public Guardian acts as Conservator of her Estate, but on Cathy Y. Dunn Chappel acts as Conservator of her Person. He had previously sought an address and was informed to serve the Public Guardian and counsel of record, Gary Motsenbocker; however, it is now discovered that he was misinformed. He is now informed that Ms. Amalino and Ms. Chappel reside in Canon City, Colorado. Having never known these facts until this morning, it is now known that Ms. Amalino was not properly served. Mr. Karby presents his most sincere apology before the Court and all parties and attorneys interested in this matter and requests that his client not be surcharged or sanctioned in any manner, that all sanctions be imposed upon the attorney personally because although he exercised his best efforts, they were obviously not vigorous enough. Mr. Karby will appear on 2-24-14 and make further apologies and pay sanctions imposed.

Dept. 303, 9:00 a.m. Friday, May 16, 2014

Edith DOD: 3-12-12	<p>CLARENCE DALE STEVENS filed his Petition for Instructions and to Determine Entitlement on 10-24-13 and his Amended Petition on 1-14-14.</p> <p>On 2-18-14, ROBERT STEVENS filed objections.</p> <p>At Settlement Conference on 4-24-14, the Court set this status hearing, status conference statements due one week prior to the hearing.</p> <p>Petitioner's Status Conference Statement filed 5-9-14 states that at the settlement conference, mention was made that the decedent might have written a Last Will and Testament sometime in 2010 that might have affected her trust and its amendments. The original will was not in possession of any party or attorney and there was even some doubt as to its existence, but it was certainly a foundation element that had to be addressed before the Court could move on to the seminal question presented in the petition: Who is the proper trustee of the Edith's trust?</p> <p>Following the settlement conference, Petitioner noted that a photocopy of the alleged 2010 will was attached to the Respondent's settlement conference statement as part of Exhibit G, which everyone overlooked, and Exhibit H is a writing purporting to revoke the 2010 will and reinstate the trust and all its amendments.</p> <p>Exhibit G of Respondent's settlement conference statement filed 4-16-14 produces photocopies of 3 separate wills that were apparently created and executed by Edith during her life: One dated 11-2-83 when she created her trust with her husband; one dated 2-11-08, when she executed her third trust amendment, and one dated 6-20-10. Exhibit H produces a copy of a writing stylized as "REVOKE AND REINSTATEMENT" that is signed and notarized by Edith on 1-6-11. See attached.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>	NEEDS/PROBLEMS/COMMENTS:
Sam DOD: 9-27-97		
Aff.Sub.Wit.		
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	<p>Reviewed by: skc</p> <p>Reviewed on: 5-12-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2B - Stevens</p>	

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Petitioner states even if an original will is produced, it appears to have been revoked. Therefore, it appears evidentiary hearing will be necessary for the Court to make appropriate judicial findings re the following:

- Is the trust dated 11-2-83 in full force and effect?
- Is the trust dated 11-2-83 as amended 5-4-04, 5-9-07 and 2-11-08 in full force and effect as amended?
- If the trust in its amended form fails, what amendments fail and why?
- Does the 2010 will (if the original is ever produced) revoke the trust and its amendments?
- If so, does the writing stylized as a REVOKE AND REINSTATEMENT reinstate the trust as amended?

Petitioner states the notary that notarized the REVOKE AND REINSTATEMENT is still employed at the Pack and Ship in Reedley. Copies of her journal have been requested but not received. Petitioner concludes that the REVOKE AND REINSTATEMENT reinstated the trust as amended. The beneficiaries were polarized in their settlement discussions even before each retained counsel, so a contested evidentiary hearing should be calendared at least 60 days out from this status hearing. Court should order that California Rules of Court apply, specifically Rule 3.1548 – pretrial submissions.

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Kevin Gunner was appointed Administrator with Will Annexed on 2-11-14 and Letters issued 2-24-14.</p>
DOD:		
Cont. from		
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		Reviewed by: skc
		Reviewed on: 5-12-14
		Updates:
		Recommendation:
		File 3 - Schofield

4 Raffi Leon George (Estate)

Case No. 04CEPR01552

Atty Simonian, Jeffrey D. (for Leon Y. George and Armen L. George – Administrators)

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for Failure to File a First Account or Petition for Final Distribution

DOD: 10-28-04	<p>LEON Y. GEORGE, father, and ARMEN L. GEORGE, brother, were appointed as Co-Administrators with Full IAEA without bond and Letters issued on 1-25-05.</p> <p>Leon Y. George is a resident of Fresno, CA. Armen L. George is a resident of Sammamish, WA.</p> <p>The original petition alleged \$200,000.00 in personal property, annual income from personal property of \$5,000.00, and real property valued at \$150,000.00. However, no Inventory and Appraisal was ever filed pursuant to Probate Code §8800.</p> <p>Three Creditor's Claims have been filed totaling \$28,426.95, and a Request for Special Notice was filed by the State of California Franchise Tax Board on 11-6-06.</p> <p>No accounting or petition for final distribution was ever filed pursuant to Probate Code §12200.</p> <p>The Court set this status hearing for failure to file Inventory and Appraisal and failure to file accounting or petition for final distribution. Both attorney and personal representative(s) are ordered to appear.</p> <p>Notice of Status Hearing was mailed to Attorney Jeffrey D. Simonian and to Administrators Leon Y. George and Armen L. George on 11-21-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Cont'd from 2-14-14, 3-14-14</u></p> <p>Minute Order 2-14-14: Counsel informs the Court that he is waiting on a copy of the brokerage account.</p> <p>Minute Order 3-14-14: Partial Inventory and Appraisal submitted to Mr. Diebert. Waiting on brokerage account.</p> <p><u>As of 5-12-14, nothing further has been filed. The following issues remain:</u></p> <ol style="list-style-type: none"> Need Inventory and Appraisal pursuant to Probate Code §8800. Need accounting and petition for final distribution pursuant to Probate Code §12200. <p>Note: Decedent's heirs pursuant to intestate succession would be his parents, Leon Y. George and Louise K. George.</p>
Cont. from 021414, 031414		
Aff.Sub.Wit.		
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Reviewed by: skc		
Reviewed on: 5-12-14		
Updates:		
Recommendation:		
File 4 – George		

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for Failure to File a First Account or Petition for Final Distribution

DOD: 4-15-05	<p>ANGELITA GARCIA, Daughter, was appointed as Executor with Full IAEA without bond and Letters issued on 2-22-06.</p> <p>The Executor's Second Amended Petition estimated the estate to contain real property valued at \$155,000; however, no Inventory and Appraisal was ever filed.</p> <p>Dept. of Health Care Services filed two creditor's claims on 12-30-05 totaling \$297,816.16 as well as Requests for Special Notice.</p> <p>Notice of Pendency of Action filed 10-16-08 indicate an action entitled "Sandra Shewry, Director of the Department of Health Care Services vs. Joel M. Murillo, as Personal Representative of the Estate of Elvira Rodriguez, Decedent; and Does 1 through 20, inclusive." The nature of the action is a Complaint to Enforce and Collect Money Due on a Medi-Cal Creditor's Claim for \$41,055.02 pursuant to W&I Code §14009.5.</p> <p>Thereafter, nothing further was filed.</p> <p>The Court set this status hearing on 11-22-13 and sent notice of hearing to Attorney Joel Murillo on 11-22-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 2-28-14</p> <p>Minute Order 2-28-14: The Court is advised that the house is the only asset which still needs to be appraised.</p> <p>As of 5-12-14, nothing further has been filed in this case.</p> <p>Note: A Petition to Determine Succession has been filed in separate case 14CEPR00329 that is calendared to be heard on 5-14-14.</p> <p>Note: Please note that due to the requests for special notice filed in this matter by DHS, notice should be served on DHS for that petition and for any status reports filed in this case.</p> <p>1. Need I&A and/or petition for final distribution or verified written status report pursuant to Probate Code §12200 and local rules.</p> <p>Note: Inventory and Appraisal filed 2-27-14 indicates a final estate value of \$0. The Court may require clarification regarding the discrepancy between the estimated estate value of \$155,000 (real property) and the I&A.</p> <p>Examiner's Note: Per an email from Mr. Murillo, this is a <u>partial</u> I&A, not the final, and the final is with the probate referee. The Court may wish to confirm that the asset being appraised as of date of death is the house that was estimated at \$155,000.</p>
Cont. from 022814		
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	<p>Reviewed by: skc</p> <p>Reviewed on: 5-12-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 – Rodriguez</p>	

DOD: 1/10/2006	MARGARET PERKINS was appointed Executor with full IAEA authority and without bond on 5/30/2006.	NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR. Report of Executor is on calendar 6/19/14.	
	Letters issued on 5/30/2006.		
Cont. from 030714	MARGARET PERKINS died on 2/4/2008.		
Aff.Sub.Wit.	RICHARD BELDEN was appointed successor Executor with full IAEA and without bond on 9/9/2008.		
Verified	Letters issued 9/9/2008.		
Inventory	Inventory and appraisal filed on 8/3/09 shows the estate valued at \$9,154.19.		
PTC	Inventory and Appraisal, partial no. 1, filed on 3/6/14 shows a value of \$175,000.00.		
Not.Cred.	Creditor's Claims filed:		
Notice of Hrg	<ul style="list-style-type: none"> Dept. of Health Care Services - \$4,942.89 Dept. of Health Care Services - \$35,824.29 St. Agnes - \$918.30 		
Aff.Mail	Notice of Status Hearing was mailed to attorney Gary Bagdasarian on 12/20/13.		
Aff.Pub.			
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Letters			
Duties/Supp			
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FTB Notice			
			Reviewed by: KT
			Reviewed on: 5/12/14
		Updates:	
		Recommendation:	
		File 6 – Brindle	

Probate Status Hearing Re: Failure to File a Final Inventory and Appraisal and for Failure to File a First Account or Petition for Final Distribution

	GLORIA L. MCAFEE , spouse, was appointed Executor with full IAEA without bond on 10/25/2006.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 03/07/2014 (Judge Hamlin): No appearances. Counsel to file the required documents or a status report before the next hearing. Failure to file said documents will result in the issuance of an order to show cause regarding contempt. Marcus Magness is ordered to be personally present 05/16/2014. Based on a no asset estate, the Court will waive the fees.</p> <p>Copy of Minute Order was mailed to Attorney Marcus D. Magness on 03/07/2014.</p>
	Letters issued on 10/25/2006.	
Cont. from 030714	Inventory and Appraisal was due on 03/2007.	
Aff.Sub.Wit.	First Account or Petition for Final Distribution was due 12/2007.	
Verified	Notice of Status Hearing was mailed to Marcus D. Magness on 12/20/2013.	
Inventory	<p>Former Status Hearing filed on 02/04/2014 states prior to the decedent's death he filed a voluntary bankruptcy. After Decedent's death, the bankruptcy trustee fought to retain jurisdiction over the Decedent's assets and ultimately prevailed. Under the arrangement the bankruptcy court retained jurisdiction over all Decedent's assets until all creditors could be paid. Once this occurred, the remaining assets were to be transferred to the probate estate.</p> <p>The bankruptcy estate was ultimately closed as a no asset estate. A true and correct copy of the Trustee's Final Account and Distributions Report Certification that the Estate has been Fully Administered and Application to be Discharged is attached as Exhibit 1.</p> <ul style="list-style-type: none"> No assets were ever transferred to Decedent's probate estate This matter should be dismissed as it is a no asset estate. This office has not had contact with Ms. McAfee for years. Efforts to contact her have been unsuccessful. 	
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		<p>Reviewed by: LV</p> <p>Reviewed on: 05/14/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – McAfee</p>

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for Failure to File a First Account or Petition for Final Distribution

	WILLIAM R. SHOCKLEY and KATHERINE ROYCE , children, were appointed Co-Administrators with full IAEA without bond on 12/12/2006.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 03/07/2014 (Judge Hamlin): No appearances. Counsel to file the required documents or a status report before the next hearing. Failure to file said documents will result in the issuance of an order to show cause regarding contempt. Robert Cross ordered to be personally present on 05/16/2014.</p> <p>Copy of Minute Order was mailed to Attorney Robert W. Cross on 03/19/2014.</p> <p>1. Need Inventory and Appraisal and First Account or Petition for Final Distribution.</p>
	Letters issued on 12/14/2006.	
	Inventory and Appraisal was due on 05/2007.	
Cont. from 030714	First Account or Petition for Final Distribution was due 02/2008.	
Aff.Sub.Wit.	Notice of Status Hearing was mailed to Robert W M Cross on 12/18/2013.	
Verified	<p>Status Report filed 05/14/2014 states that co-administrator or decedent's estate, Katherine Royce, died on 08/05/2011. Mr. Shockley, co-administrator, has promised to prove a copy of her death certificate. In this case, the sole significant asset was the residence real property commonly known as 2805 B Street, Ca. which was subject to a substantial note secured by the deed of trust on the property. At the time of appointment of the personal representatives it appeared that there was substantial equity in the home. It was listed for sale and a buyer was found for a reasonable price. Unfortunately the buy backed out at the last minute. The value of the property then dropped because of the sharp decline of property values in general, no buyer was found at lower prices, and the property ultimately became worthless than the amount owed on notes secured by a deed of trust. Co-administrator William R. Shockley made the house payments for about a year, but beyond that it was beyond his means, and his co-administrator sister lacked means to contribute significantly to continue payment on the real property. As a consequence the property was ultimately washed in foreclosure. The lender refused to deal with the co-administrators with regard to the property. As a consequence of the above, the remaining administrator, William R. Shockley, has no assets to pay to any of the numerous creditors of decedent. Attorney Cross is requesting that remaining co-administrator supply the attorney with the documentation concerning the foreclosure and his payments. Nothing remains, of course, to reimburse him either.</p>	
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Video Receipt		
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FTB Notice		
		<p>Reviewed by: LV</p> <p>Reviewed on: 05/14/2014</p> <p>Updates: 05/14/2014</p> <p>Recommendation:</p> <p>File 8 – Shockley</p>

Age: 78	<p>PUBLIC GUARDIAN, was appointed Conservator of the Estate on 10/28/08.</p> <p>Conservator's Second Account Current was approved on 05/23/12. Minute Order from 05/23/12 set this matter for Status.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Third Account.</p>
Cont. from		
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		Reviewed by: JF
		Reviewed on: 05/12/14
		Updates:
		Recommendation:
		File 9 - Pope

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 01/12/13	WANDA JUNE TIMMONS , mother, was appointed Executor with full IAEA and without bond on 03/19/13. Letters Testamentary were issued on 03/21/13.	NEEDS/PROBLEMS/COMMENTS: 1. Need Accounting/Report on Waiver of Account and Petition for Final Distribution.
Cont. from	Minute order from hearing on 03/19/13 set this matter for status re filing the First Account and/or Petition for Final Distribution on 05/16/14.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.	Inventory & Appraisal, partial no. 1 , filed 04/10/13 - \$577,500.00	
Notice of Hrg	Inventory & Appraisal, final , filed 09/18/13 - \$37,692.57	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	Inventory & Appraisal, supplemental filed 01/21/14- \$1,500.00	
Pers.Serv.		
Conf. Screen	Status Report filed 04/24/14 states: Andrew Bier is the soil beneficiary of the estate. Some of the assets of the estate have been sold, however real property on Armstrong has not yet been sold. There has been interest in the property, but an escrow has not yet been opened. Andrew Bier has requested Petitioner to continue working with the realtor on his behalf as opposed to transferring the property to him and closing probate.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/12/14
		Updates:
		Recommendation:
		File 10 - Bier

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

Age: 06/29/11	<p>KIRK KAYAJANIAN, grandson, was appointed as Executor with full IAEA and without bond on 03/26/13.</p> <p>Minute Order from hearing on 03/26/13 set this matter for a status hearing regarding filing of the First/Final Account and Petition for Distribution for 05/16/14.</p> <p>Inventory & Appraisal, final filed 02/21/13 - \$137,500.00</p> <p>Inventory & Appraisal, Reappraisal for sale filed 02/21/13 - \$145,000.00</p> <p>Status Report filed 05/13/14 states: the Executor is working with Champion Mortgage, the lienholder on the real property asset of the estate to work out a sale of the property for less than what is owed. The Executor requests a six month continuance in order to accomplish the sale and close the estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Accounting/Report of Executor and Petition for Distribution.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/12/14
		Updates: 05/14/14
		Recommendation:
		File 11 - Kayajanian

Status Hearing Re: Filing of the Proof of Bond

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Bond filed 3-14-14
DOD:		
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: skc
		Reviewed on: 5-12-14
		Updates:
		Recommendation:
		File 15 - Watson

DOD: 6/20/2013	ROBERT LEE ADAMS was appointed Executor with full IAEA authority and bond set at \$130,000.00.	NEEDS/PROBLEMS/COMMENTS: 1. Need bond of \$130,000.00 or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
	Minute Order dated 4/16/14 set this status hearing for the filing of the bond and issuance of Letters.	
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 5/12/14
		Updates:
		Recommendation:
		File 16 - Edmonds

Status Hearing Re: Filing a Guardianship in Washington

Rogelio, age 13	VANESSA GONZALEZ, maternal cousin, was appointed Successor Guardian on 11-8-12.	NEEDS/PROBLEMS/COMMENTS: Minute Order 3-7-14: No appearances. The Court directs that a copy of the Examiner Notes be sent to Vanessa Gonzalez. Matter continued to 5-16-14. Vanessa Gonzalez is ordered to be personally present on 5-16-14 or file a status report before the next hearing. Note: Ms. Gonzalez filed a status report on 5-8-14 that states the minor is still in her care and she is no longer requesting to move out of California.	
Cont. from 030714	On 9-3-13, the Guardian filed a Petition to Fix Residence Outside the State of California due to an anticipated move to Wapato, Washington.		
Aff.Sub.Wit.	On 10-17-13, the Court granted the petition and signed the Order Fixing Residence Outside the State of California.		
Verified	The Court set this status hearing for the filing of a guardianship or equivalent in Washington pursuant to Probate Code §2352.		
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 5-12-14
		Updates:	
		Recommendation:	
		File 17 – Caldera	

Status Hearing for the Filing of the Inventory and Appraisal

Age: 17	<p>PETER JEFFREY GARZA, father, was appointed as Guardian of the Estate on 11/29/12.</p> <p>Notice of Status Hearing filed 12/20/13 set this matter for status regarding filing of the Inventory & Appraisal on 03/28/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 03/28/14</u> Minute Order from 03/28/14 states: No appearances. The Court notes that the Inventory & Appraisal has not been completed and the receipt for blocked account has not been filed. In the event the money has not been received, Peter Garza, Sr. is to provide copies of all communications to and from the insurance company. Matter continued to 05/16/14. The Court orders that Peter Garza, Sr. be personally present on 05/16/14. The Court directs that a copy of the minute order be sent to both Peter Garza, Sr. and Peter Garza, Jr.</p> <p>Clerk's Certificate of Mailing filed 04/01/14 indicates that copies of the minute order from 03/28/14 was mailed to Peter Garza Sr and Peter Garza Jr on 04/01/14.</p> <p>As of 05/12/14, nothing further has been filed.</p> <p>1. <i>Need Inventory & Appraisal.</i></p>
Cont. from 032814		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/12/14
		Updates:
		Recommendation:
		File 18A – Garza

Status Hearing Re: Failure to File Receipt for Blocked Account

Age: 17	<p>PETER JEFFERY GARZA, SR., father, was appointed Guardian of the Estate on 11/29/12. The Order specified that all funds received were to be placed into a blocked account. Order to Deposit Money into Blocked Account was filed 11/29/12.</p> <p>Notice of Status Hearing filed 12/20/13 set this matter for a status hearing on 01/24/13 regarding failure to file receipt for blocked account. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Peter Jeffery Garza, Sr. on 12/20/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 03/14/14</u> Minute order from 03/14/14 states: The Court is advised that the money is still with the insurance company. Mr. Garza is directed to file a status report before the next hearing indicating that the minor has turned eighteen and a claim has been made to the insurance company.</p> <p>As of 05/12/14, nothing further has been filed in this matter.</p> <ol style="list-style-type: none"> 1. Need Receipt for the Deposit of Funds into blocked account <u>or</u> current written status report.
Cont. from 012414		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: JF</p> <p>Reviewed on: 05/12/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18B – Garza</p>	

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Petition for Final Distribution filed and set for hearing on 6/24/14.</p>
DOD:		
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: KT
		Reviewed on: 5/12/14
		Updates:
		Recommendation:
		File 19 – Steingraber

Pro Per Okamura, Suzanne (Pro Per Administrator)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 6/6/2013	SUZANNE OKAMURA, sister, was appointed Administrator with Limited IAEA without bond 10/3/2013.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 21 is the related <i>Estate of Ito Okamura</i>.</p> <p>Continued from 3/7/2014. See <i>Minute Order</i> at center.) The following issues remain:</p> <ol style="list-style-type: none"> 1. Need <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 8800(b), or verified status report and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B).
Cont. from 030714	Letters issued on 10/14/2013.	
Aff.Sub.Wit.	Pursuant to Probate Code § 8800(b), <i>Final Inventory and Appraisal</i> was due 2/14/2014 .	
Verified	Minute Order dated 10/3/2013 from the hearing on the Amended Petition for letters of administration set the matter for a Status Hearing for filing of the final inventory and appraisal on 3/7/2014.	
Inventory X	Minute Order dated 3/7/2014 [Judge Hamlin] from the Status Hearing for filing of the Inventory and Appraisal states: No appearances. The Court orders that the assets not be wasted until the final inventory and appraisal has been filed and the creditors have been paid. The Court directs that a copy of the examiner notes be sent to Suzanne Okamura. The Court will expect the inventory and appraisal, or a status report to be filed before the next hearing. Failure to file said document(s) will result in the issuance of an order to show cause regarding contempt. Matter continued to 5/16/2014. Suzanne Okamura is ordered to be personally present on 5/16/2014.	
PTC	Clerks' Certificate of Mailing filed 3/7/2014 shows a copy of the Minute Order dated 3/7/2014 and Examiner Notes were mailed to Suzanne Okamura on 3/7/2014.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt X		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 5/14/14
		Updates:
		Recommendation:
		File 20 – Okamura

Pro Per Okamura, Suzanne (Pro Per Executor)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 6/23/2013	SUZANNE OKAMURA , daughter, was appointed Executor with Limited IAEA authority without bond on 10/3/2013.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 20 is the related <i>Estate of Daniel Kazuo Okamura</i>.</p> <p>Continued from 3/7/2014. See Minute Order at center.)</p>
Cont. from 030714	Letters issued on 10/14/2013.	
<input type="checkbox"/> Aff.Sub.Wit.	<p><i>Final Inventory and Appraisal</i> was filed on 9/18/2013 showing an estate consisting of cash and life insurance proceeds valued at \$383,670.00.</p> <p>Minute Order dated 10/3/2013 from the hearing on the Amended Petition for letters of administration set the matter for a Status Hearing for filing of the final inventory and appraisal on 3/7/2014.</p> <p>Minute Order dated 3/7/2014 [Judge Hamlin] from the Status Hearing for filing of the Inventory and Appraisal states: No appearances. The Court orders that the assets not be wasted until the final inventory and appraisal has been filed and the creditors have been paid. The Court directs that a copy of the examiner notes be sent to Suzanne Okamura. The Court will expect the inventory and appraisal, or a status report to be filed before the next hearing. Failure to file said document(s) will result in the issuance of an order to show cause regarding contempt. Matter continued to 5/16/2014. Suzanne Okamura is ordered to be personally present on 5/16/2014.</p> <p>Clerks' Certificate of Mailing filed 3/7/2014 shows a copy of the Minute Order dated 3/7/2014 and Examiner Notes were mailed to Suzanne Okamura on 3/7/2014.</p>	
<input type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 5/14/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21 – Okamura</p>

Atty Gardner, Norma (sister)

Atty Sabbatini, Jim (brother)

Probate Status Hearing Re: Termination of Conservatorship due to death of Conservator

Age: 54	MARY SABBATINI , mother, was appointed as Conservator of the Person in 1982.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	<p>On 07/22/13 Conservator, Mary Sabbatini, passed away.</p> <p>Notice of Status Hearing filed 04/03/14 set this matter for status regarding terminating the Conservatorship due to Death of Conservator. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Norma Gardner, Jim Sabbatini and Denise Sabbatini on 04/03/14.</p> <p>Court Investigator Charlotte Bien filed a report on 04/15/14.</p>	
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202	<p>Reviewed by: JF</p> <p>Reviewed on: 05/12/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22 - Sabbatini</p>	
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

DOD: 4-15-05	ANGELITA GARCIA aka ANGELITA LEIJA, Daughter, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 5-14-14.</u> Declaration of Candace Ward, DHS Senior Tax Compliance Representative, filed 5-14-14, waives notice and states the interest of the State of California will be served by granting the Order Determining Succession as requested by the petitioner in this case for this hearing.</p> <p>The following issue remains noted:</p> <p>1. The Court may require authority to use summary proceeding to pass the property at this time given the history of the estate as follows:</p> <p>Attorney Joel Murillo was appointed Executor of the decedent's estate on 2-22-06 in 05CEPR00988. At that time, it was estimated that the residence valued at \$155,000 was the only asset of the estate. (It did not qualify to pass via summary proceeding because the value limit for petitions to determine succession at that time was \$100,000.)</p> <p>DHS filed two creditor's claims in the estate for \$256,761.14 and \$41,055.02, and also requested special notice pursuant to Probate Code §1252.</p> <p>In addition, DHS commenced a separate action 08CECG03103 against the estate on the claims and judgment was entered in 2009.</p> <p>The Court recently set a status hearing in the estate case for failure to file Inventory and Appraisal pursuant to Probate Code §8900 and failure to file account or petition for final distribution pursuant to Probate Code §12200.</p> <p>In response, an I&A was filed that did not comply with Probate Code §8900 – it attached a current (not date of death) appraisal of the house that was not done by the Probate Referee.</p> <p>A correct I&A still needs to be filed in the estate case, and the estate still needs to be closed, including addressing the creditor's claims.</p> <p>To do so, notice is required to creditors that have not been paid pursuant to Probate Code §11000, such as DHS.</p> <p>DHS has <u>not</u> been given notice of this petition to pass the property via summary proceeding, even though Petitioner appears to be requesting to pass the property subject to that lien.</p>
	40 days since DOD	
Cont from 051414		
<input type="checkbox"/> Aff.Sub.Wit.	Attorney Joel M. Murillo was appointed Executor of the decedent's estate in 05CEPR00988 on 2-22-06 and consents to this procedure pursuant to Probate Code §13150(b).	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	I&A: Residence valued at \$130,000.00	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Will dated 4-5-91 devises the entire estate to Petitioner.	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters	Petitioner requests Court determination that the real property in Del Rey, CA, passes to her pursuant to the decedent's will, subject to a lien on the property recorded 10-12-12 in the amount of \$192,401.00 by the CA Dept. of Health Care Services Estate Recovery Branch.	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	Reviewed by: skc	
	Reviewed on: 5-14-14	
	Updates:	
	Recommendation:	
	File 23 - Rodriguez	